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10/710,595	07/23/2004	Hsin-Jung Chuang	LITP0039USA	4594
27765	7590	01/25/2008	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION			ALAVI, AMIR	
P.O. BOX 506			ART UNIT	PAPER NUMBER
MERRIFIELD, VA 22116			2624	
			NOTIFICATION DATE	DELIVERY MODE
			01/25/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/710,595

Applicant(s)

CHUANG ET AL.

Examiner

Amir Alavi

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

- Applicant's amendment filed on 08/20/2007 has been entered and made of record.
- Although in the previous Office Action, Examiner had indicated of Allowable subject matter, however, in the process of updating the search, the newly cited Prior Art reasonably address the limitations of the claimed invention.

Nonetheless, Examiner will look forward to receive further amendments to the claims and expedite Allowance of this Application.

Double Patenting

- The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
- A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.
- Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

- Claims 1-6 and 8-18 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No.10/711,215. Although the conflicting claims are not identical, they are not patentably distinct from each other because *differences in scope do not rise to the level of patentable distinction*.
- This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- *Claims 1-6, 8, 10-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa et al. (USPN 7,266,254 B2) in view of Zoso et al. (USPN 6,462,789 B1).*

Regarding claim 1, Ishikawa et al. recite a central processing unit which receives a compressed file (Please note, figure 1), a compressed file decoder which receives the compressed file outputted from the CPU, generates a decoded image data and encodes the decoded image data to generate a digital video signal (Please note, figure 15, element 153), a frame buffer connected to the compressed file decoder for storing the decoded image data (Please note, figure 15, element 157) wherein the compressed file decoder comprises a decoder core utilized for receiving the

compressed file and producing a frame composed of a plurality of minimum coded units for the compressed file (Please note, figure 15, element 154), an adjusting operation unit utilized for selecting a shown range in the frame applying a resize operation or a rotation operation on the shown range (Please note, figure 15, element 156), and then converting the shown range on which the resize operation or the rotation operation has been performed into the decoded image data and a digital video encoder utilized for reading the decoded image data stored in the frame buffer and encoding the decoded image data to generate the digital video signal (Please note, figure 15, element 163, as well as, figure 23).

Ishikawa et al. do not expressly recite an analog video encoder which receives the digital video signal and converts the digital video signal into a TV signal.

Zoso et al. recite an analog video encoder which receives the digital video signal and converts the digital video signal into a TV signal (please note, column 1, lines 1-10. As indicated digital video encoders convert digital data such as YCC and RGB into analog composite video).

Ishikawa et al. & Zoso et al. are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the Art to utilize this converting the digital video signal into a TV signal of Zoso et al. in Ishikawa et al.'s invention.

The suggestion/motivation for doing so would have been as indicated by Zoso et al., column 1, line 10, to be able to view it on a television screen.

Therefore, it would have been obvious to combine Zoso et al., with Ishikawa et al., to obtain the invention as specified in claim 1.

Regarding claim 2, Ishikawa et al. recite wherein the decoded image data is transmitted back to the CPU (Please note, figure 1).

Regarding claim 3, Ishikawa et al. recite wherein the CPU accesses the frame buffer (Please note, figure 1).

Regarding claim 4, Ishikawa et al. recite wherein the compressed file is a JPEG file (Please note, column 27, line 38).

Regarding claim 5, Zoso et al. recite wherein the TV signal conforms to the NTSC standard (Please note, column 6, line 51).

Regarding claim 6, Zoso et al. recite wherein the TV signal conforms to the PAL standard (Please note, column 6, line 51).

Regarding claim 8, Ishikawa et al. recite a crop unit utilized for selecting the shown range in the frame (Please note, figure 22) and a resize unit utilized for applying a resize operation or a rotation operation on the shown range and generating the decoded image data (Please note, figure 17, element 169).

Regarding claim 10, Zoso et al. recite wherein the digital video encoder is an ITU-R656 digital video encoder (Please note, column 7, line 46).

Regarding claim 11, arguments analogous to those presented for claim 1, are applicable.

Regarding claim 12, arguments analogous to those presented for claim 8, are applicable.

Regarding claim 13, arguments analogous to those presented for claim 2, are applicable.

Regarding claim 14, arguments analogous to those presented for claim 1, are applicable.

Regarding claims 15-16, arguments analogous to those presented for claims 5-6, respectively, are applicable.

Regarding claim 18, arguments analogous to those presented for claim 10, are applicable.

- *Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa et al. (USPN 7,266,254 B2) in view of Takahashi et al. (USPN 6,052,488).*

Regarding claim 1, Ishikawa et al. recite a central processing unit which receives a compressed file (Please note, figure 1), a compressed file decoder which receives the compressed file outputted from the CPU, generates a decoded image data and encodes the decoded image data to generate a digital video signal (Please note, figure 15, element 153), a frame buffer connected to the compressed file decoder for storing the decoded image data (Please note, figure 15, element 157) wherein the compressed file decoder comprises a decoder core utilized for receiving the compressed file and producing a frame composed of a plurality of minimum coded units for the compressed file (Please note, figure 15, element 154), an adjusting operation unit utilized for selecting a shown range in the frame applying a resize operation or a rotation operation on the shown range (Please note, figure 15, element 156), and then converting the shown range on which the resize operation or the rotation operation has been performed into the decoded image data and a digital video encoder utilized for reading the decoded image data stored in the frame buffer and encoding the decoded image data to generate the digital video signal (Please note, figure 15, element 163, as well as, figure 23).

Ishikawa et al. do not expressly recite a JPEG decoder.

Takahashi et al recite a JPEG decoder (please note, column 3, line 53).

Ishikawa et al. & Takahashi et al. are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skill in the Art to utilize this JPEG decoder of Takahashi et al. in Ishikawa et al.'s invention.

The suggestion/motivation for doing so would have been as indicated by Takahashi et al., column 3, lines 57-58, data compression takes shorter time.

Therefore, it would have been obvious to combine Takahashi et al., with Ishikawa et al., to obtain the invention as specified in claims 9 and 17.

Examiner's Note

- The referenced citations made in the rejection(s) above are intended to exemplify areas in the prior art document(s) in which the Examiner believed are the most relevant to the claimed subject matter.
- However, it is incumbent upon the Applicant to analyze the Prior Art document(s) in its/their entirety since other areas of the document(s) may be relied upon at a later time to substantiate Examiner's rationale of record.
- A Prior Art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. W.L. Gore & associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). However, "the Prior Art's mere disclosure of more than one alternative does not constitute a teaching away from any of these alternatives because such disclosure does not criticize, discredit, or otherwise discourage the solution claimed" In re Fulton, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004).

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 571-272-7386. The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

- Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA
Technology Division 2624
18 January 2008

AMIR ALAMI
PRIMARY PATENT EXAMINER
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